

*Title III – No Child Left
Behind Act of 2001*



English Language Learning

*A guide for
school districts*



Missouri Department of
Elementary and
Secondary Education
D. Kent King, Commissioner of Education



The requirements for districts receiving funds of Title III of the No Child Left Behind (NCLB) Act of 2001 could be challenging to school district administrators who are expected to implement the programs. This document provides guidance to school districts that are required to provide high-quality language instruction services to English Language Learners (ELL). A longer version of issues addressed here can be found in the Policy section of the U.S. Department of Education Web site at www.ed.gov or in the *Educating Linguistically Diverse Students* handbook found on the Missouri Migrant Education and English Language Learning (MELL) Web site at mo-mell.org/resources.

■ Programs and activities

Title III funds are used to provide high-quality, language-instruction educational programs designed using scientifically based research that demonstrates effectiveness in increasing English proficiency and student academic achievement in the core academic subject areas. Methods of instruction used in the programs and activities should provide evidence that the programs chosen are based on scientific research in teaching ELL students. The scientific research should involve the application of rigorous, systematic and objective procedures to obtain reliable and valid knowledge relevant to educational programs and activities. Refer to Elementary and Secondary Education Act (ESEA) section 9101 (37) for details. Programs and activities must demonstrate effectiveness in helping ELL students attain English proficiency and meet the same challenging state academic content and student achievement standards as expected of all other students. Districts must notify parents not later than 30 days after the beginning of the school year if a child is participating in a language program. If a child enters a program during the school year, the time frame is two weeks. Districts must also notify parents of any failure of the program to make progress on the annual measurable objectives no later than 30 days after this failure occurs. There is a two-year follow-up requirement after an ELL student is no longer receiving services.

■ Parent involvement

Districts must implement effective means of outreach to parents of ELL students to encourage active participation in assisting their children to learn English and to achieve high levels in core academic content and academic achievement standards.

■ Biennial evaluation

Districts must return a biennial evaluation report to DESE that includes the following information:

- ✓ A description of the programs and activities conducted during the two immediately preceding fiscal years;
- ✓ A description of the progress made by ELL students in learning English and meeting challenging state academic content and student achievement standards;
- ✓ The number and percentage of children attaining English proficiency at the end of each school year;
- ✓ A description of the progress made by students in meeting challenging state academic content and student academic achievement standards for each of the two years after students are no longer receiving services; and
- ✓ A percentage of children who 1) are making progress in attaining English proficiency; 2) have transitioned into classrooms not tailored to ELL children; 3) are meeting the same challenging state academic content and student academic achievement standards as all other children; and 4) are not receiving waivers for the reading or language arts assessments.

■ Consortium and section 3114(a)/(b)

A school district that would not otherwise qualify for a subgrant under section 3114(a) because it does not qualify for an award of at least \$10,000 will be included in a statewide consortium and will be notified each year by DESE and the Missouri office of Migrant Education and English Language Learning of its eligibility, amount of entitlement and possible uses of funds.

■ Required information to parents

Sample parental notification forms and a cover letter that districts may modify to fit local needs are provided on the DESE Web site at dese.mo.gov/divimprove/fedprog/discretionarygrants/bilingual-esol/. To the extent practicable, the information should be in a language that the parent can understand. The information sent to parents must include:

- ✓ The reasons for identifying their child as being ELL and for placing their child in a language-instruction educational program for ELL students;
- ✓ The child's level of English proficiency, including how the level was assessed and the status of the child's academic achievement;
- ✓ The method of instruction that will be used in the program, including a description of other alternative programs;
- ✓ How the program will meet the educational strengths and needs of the child;
- ✓ How the program will help the child learn English and meet academic achievement standards;
- ✓ The program exit requirements, including the expected rate of transition and the expected rate of graduation from secondary school;
- ✓ How the program will meet the objectives of an individualized education program for a child with a disability; and
- ✓ Their rights, including written guidance that 1) specifies the right that parents have to immediately remove their child from a language-instruction educational program upon their request; 2) describes the options parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and 3) assists parents in selecting among various programs and methods of instruction if more than one program or method is offered.

■ Professional development

Districts must provide high-quality professional development to classroom teachers (including teachers in classroom settings that are not the setting of language-instruction educational programs), principals, administrators and other school or community-based organizational personnel that is:

- ✓ Designed to improve the instruction and assessment of ELL students;
- ✓ Designed to enhance the ability of the teachers to understand and use curricula, assessment measures and instruction strategies for ELL children; and
- ✓ Focused on scientifically based research demonstrating the effectiveness of the professional development in increasing children's English proficiency or in substantially increasing the subject matter knowledge, teaching knowledge and teaching skills of teachers. Professional development must be of sufficient intensity and duration to have a positive and lasting impact on the teacher's performance in the classroom (excluding activities such as one-day or short-term workshops and conferences unless the activity is a component of an established comprehensive professional development program for an individual teacher).

■ ELL teachers and aides

It is illegal to put a bilingual/ESOL (English for Speakers of Other Languages) aide or paraprofessional in charge of a classroom that is not under the supervision of a certified teacher. The approach commonly used for teaching in Missouri is ESOL. Title III of the NCLB Act requires that all teachers in language-instruction educational programs for ELL students be fluent in English and any other language used by that program, including written and oral communication skills. This does not mean that teachers should be fluent in all ELL students' languages. This is especially true for Bilingual Education programs. For the ESOL approach, the English fluency of teachers must meet the requirement.



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■ Statewide assessment tool: MAC II

To comply with Title III of the NCLB Act, the State of Missouri has adopted MAC II as the statewide assessment tool to measure the yearly English language proficiency progress of ELL students. MAC II assesses proficiency in speaking, listening, reading and writing. All students receiving ELL services are required to take the MAC II. Refer to the administration manual for details.

■ Missouri Assessment Program (MAP)

Students' progress toward attaining the standards is primarily measured by the MAP tests, which should be administered to ELL students to provide instructionally useful information. No ELL student should be exempted from taking the MAP after enrolling in a Missouri school. The NCLB Act of 2001 requires that all ELL students be given the MAP. For details, contact DESE toll-free at 1-800-845-3545.

■ Technical assistance

DESE contracted with several school districts and institutions of higher education to provide technical assistance in 1) identifying and implementing language-instruction educational programs and curricula that are based on scientific research; 2) helping ELL children meet the same challenging state academic content and student academic achievement standards required of all children; 3) identifying or developing and implementing measures of English proficiency; and 4) promoting parental and community participation in programs. These school districts and institutions host nine Regional Professional Development Centers (RPDCs) located in Malden, Kirksville, Rolla, Monett, Kansas City, St. Joseph, St. Louis, Columbia and Sedalia. For more information, please call 1-877-435-7537 or visit mo-mell.org/resources.

■ Consultation with private schools

Title III allows students and staff at private schools to receive services through ESEA programs. It includes Part A of Title III in the list of programs under which private schools may equitably participate to receive educational services or benefits. In addition, the Act specifies that the educational services must be provided by the school district to private schools in a timely manner and that consultations with private school officials must occur during the design and development stages of the education programs as well as throughout the period of implementation.

To assist school districts in overcoming educational challenges, a list of resources is available in the *Educating Linguistically Diverse Students* handbook found on the MELL Web site at mo-mell.org/resources. School districts must submit the program and the progress made by children in learning English, meeting state standards and attaining English proficiency to DESE every second fiscal year. Refer to the handbook for definitions.

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